

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LOIS L. LUGO,

Plaintiff,

File No. 1:13-CV-816

v.

HON. ROBERT HOLMES BELL

FEDERAL HOME LOAN MORTGAGE
CORPORATION,

Defendant.

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On September 9, 2013, United States Magistrate Judge Joseph G. Scoville issued a report and recommendation ("R&R") recommending that Defendant Federal Home Loan Mortgage Corporation's motion for judgment on the pleadings (Dkt. No. 5) be granted and that Plaintiff Lois L. Lugo's pro se complaint be dismissed for failure to state a claim on which relief can be granted. (Dkt. No. 8, R&R.) Plaintiff filed an amended complaint without leave of court on September 25, 2013. (Dkt. No. 9.) That amended complaint has been stricken from the record. (Dkt. No. 12.) Plaintiff did not file any objections to the R&R.

This Court is required to make a *de novo* determination of those portions of the R&R to which specific objection has been made, and may accept, reject, or modify any or all of the Magistrate Judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ.

P. 72(b). “[A] general objection to a magistrate’s report, which fails to specify the issues of contention, does not satisfy the requirement that an objection be filed. The objections must be clear enough to enable the district court to discern those issues that are dispositive and contentious.” *Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995).

The Magistrate Judge recommended that Plaintiff’s complaint against Freddie Mac be dismissed because Plaintiff failed to allege any actionable fraud under either federal or state law. Plaintiff did not file any objections to the Magistrate Judge’s R&R. She did, however, file an amended complaint that was subsequently stricken because it was filed without leave of court. Because *pro se* pleadings are liberally construed and held to a less stringent standard than formal pleadings drafted by licensed attorneys, *Erickson v. Pardus*, 551 U.S. 89, 94 (2000), the Court will construe Plaintiff’s amended complaint as her objections to the R&R.

Plaintiff’s amended complaint does not contain any objections to the Magistrate Judge’s findings or recommendations. Plaintiff does not challenge in any respect the grounds identified by the Magistrate Judge as warranting the dismissal of her complaint. Because there are no objections to the Magistrate Judge’s R&R, and because the Court agrees with the Magistrate Judge’s recommendation that Plaintiff’s complaint fails to state a claim on which relief can be granted, the Court will approve and adopt the R&R.

The Court declines to construe Plaintiff’s amended complaint as a motion to amend her complaint. Plaintiff did not file a motion to amend her complaint in response to either

the Defendant's motion for judgment on the pleadings, or in response to the Magistrate Judge's order granting Defendant's motion to strike her amended complaint. Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge's September 9, 2013, R&R (Dkt. No. 8) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED** for failure to state a claim upon which relief can be granted.

Dated: November 22, 2013

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE